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STEWART B. McKINNEY HOMELESS HEALTH CARE, EDUCATION, TRAINING, AND COMMUNITY SERVICES AMENDMENTS OF 1990

AUGUST 30, 1990.—Ordered to be printed

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Mr. KENNEDY, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 2863]

The Committee on Labor and Human Resources, to which was referred the bill (S. 2863) the Stewart B. McKinney Homeless Health Care, Education, Training, and Community Services Amendments of 1990, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stewart B. McKinney Homeless Health Care, Education, Training, and Community Services Amendments of 1990".

SEC. 2. DEFINITION OF HOMELESS.

Section 103(b) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302(b)) is amended to read as follows:

"(b) INCOME ELIGIBILITY.—

"(1) IN GENERAL.—A homeless individual shall be eligible for assistance under any program provided by this Act, only if the individual complies with the income eligibility requirements otherwise applicable to such program.

"(2) EXCEPTION.—Notwithstanding paragraph (1), a homeless individual shall be eligible for assistance under the Job Training Partnership Act.".

SEC. 3. REAUTHORIZATION OF CERTAIN PROGRAMS WITHIN THE PUBLIC HEALTH SERVICE ACT.

(a) PRIMARY HEALTH SERVICES FOR THE HOMELESS.—Section 340 of the Public Health Service Act (42 U.S.C. 256) is amended—

(1) in subsection (e)(1)(B)—

(A) by striking out "(i)"; and

(B) by striking out clause (ii);

(2) in subsection (g), by inserting before the period the following: ", including violence counseling services where appropriate"; and

(3) in subsection (q)(1), by striking out "and $66,200,000 for fiscal year 1991" and inserting in lieu thereof "$69,000,000 for fiscal year 1991, $90,000,000 for fiscal year 1992, and $95,000,000 for fiscal year 1993".

(b) ALCOHOL AND DRUG ABUSE DEMONSTRATION PROJECTS.—Section 513(b) of such Act (42 U.S.C. 290bb-2(b)) is amended by striking out "and such sums as may be necessary for fiscal year 1991" and inserting in lieu thereof ", $17,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993".

(c) COMMUNITY MENTAL HEALTH SERVICES DEMONSTRATION PROJECTS.—Section 612(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 290aa-3 note) is amended by striking out "and such sums as may be necessary for fiscal year 1991" and inserting in lieu thereof ", $11,500,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993".

SEC. 4. REAUTHORIZATION OF CERTAIN PROGRAMS WITHIN THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.

(a) JOB TRAINING FOR THE HOMELESS.—

(1) APPLICATIONS.—Section 733 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11443) is amended—

(A) by inserting "(a) IN GENERAL.—" before "Each applicant";

(B) in subsection (a)(2), by inserting before the semicolon the following: "or other related programs providing services necessary to address the multiple needs of homeless individuals";

(C) in subsection (a)(3), by inserting "on the street or" before "in-shelter"; and

(D) by adding at the end thereof the following new subsection:

"(b) SPECIAL CONSIDERATION.—

"(1) IN GENERAL.—In awarding grants under this subtitle, the Secretary of Labor may give special consideration to applicants that will implement projects that will serve areas of greatest need, including urban and rural areas, as demonstrated by—

"(A) ~~the large~~ number or concentration or homeless individuals in the project area relative to other similar areas of jurisdiction;

"(B) the high rates of poverty in the project area as determined by the census; or

"(C) the lack of available low cost or affordable housing within the project area, as measured by such indicators as high average local rents or vacancy rates.

"(2) HOLISTIC SERVICE APPROACH.—In awarding grants under this subtitle, the Secretary of Labor may give special consideration to applicants that will implement programs that include formal reciprocal referral agreements with other programs such as substance abuse counseling, local shelters, and subsidized housing that provide a holistic service approach on an individual case management basis.".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 739(a)(1) of such Act (42 U.S.C. 11449(a)(1)) is amended by inserting after "and 1990" the following: ", $15,000,000 for fiscal year 1991, of which $3,000,000 shall be used to carry out section 738, $16,500,000 for fiscal year 1992, of which $3,500,000 shall be used to carry out section 738, and $18,000,000 for fiscal year 1993, of which $4,500,000 shall be used to carry out section 738".

(3) TERMINATION.—Section 741 of such Act (42 U.S.C. 11450) is repealed.

(b) AMENDMENTS TO THE EMERGENCY COMMUNITY SERVICES HOMELESS GRANT PROGRAM.—

(1) USE OF FUNDS FOR ADMINISTRATIVE COSTS.—Section 753(b) of such Act (42 U.S.C. 11463(b)) is amended—

(A) in paragraph (1)—

(i) by striking out "all" in subparagraph (A), and inserting in lieu thereof "not less than 95 percent"; and

(ii) by striking out "90 percent" in subparagraph (B), and inserting in lieu thereof "85 percent"; and

(B) in paragraph (3), by striking out "no amount" and inserting in lieu thereof "not more than 5 percent of the amounts".

(2) ELIGIBLE USE OF FUNDS.—Section 753(c) of such Act (42 U.S.C. 11463(c)) is amended—

(A) in paragraph (1)—

(i) by inserting "(A)" after "(1)"; and

(ii) by adding at the end thereof the following new subparagraph:

"(B) Renovation or purchase of buildings to be used to provide such services."; and

(B) by adding at the end thereof the following new paragraph:

"(5) Provision of, or referral to, violence counseling for homeless children and individuals, and the provision of violence counseling training to individuals who work with homeless children and individuals.".

(3) COMMUNITY SERVICES GRANT PROGRAM.—Section 754 of such Act (42 U.S.C. 11464) is amended by inserting after "and 1990" the following: ", and $50,000,000 for each of the fiscal years 1991 through 1993".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

SEC. 5. AMENDMENTS TO STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT RELATING TO EDUCATION.

(a) STATEWIDE LITERACY INITIATIVES.—

(1) REAUTHORIZATION.—Section 702(c)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421(c)(1)) is amended by inserting after "and 1990" the following: ", $15,000,000 for fiscal year 1991, and such sums as may be necessary in each of the fiscal years 1992 and 1993,".

(2) GENERAL AUTHORITY.—Section 702 of such Act (42 U.S.C. 11421) is amended—

(A) in the section heading by striking out "STATE"; and

(B) in subsection (a)—

(i) by striking out "State educational agencies to enable each such agency to" and inserting in lieu thereof "entities described in paragraph (2) to";

(ii) by redesignating paragraphs (1) and (2) subparagraphs (A) and (B), respectively;

(iii) by inserting "(1)" before "The Secretary"; and

(iv) by adding at the end thereof the following new paragraphs:

"(2) To be eligible to receive a grant under this section, an entity shall be—

"(A)(i) a State education agency or consortia thereof; or

"(ii) a local educational agency or consortia thereof; or

"(B) a partnership between an entity described in subparagraph (A) and—

"(i) a private nonprofit organization;

"(ii) a private business;

"(iii) any other public agency; or

"(iv) any other appropriate entity;

if the entity of the type described in clauses (i) through (iv) has demonstrated effectiveness in carrying out literacy programs.

Priority shall be given to applications submitted by entities under subparagraph (B).

"(3) In awarding grants under this section, the Secretary of Education shall give special consideration to applicants that will implement projects that will serve areas of greatest need, including urban and rural areas, as demonstrated by—

"(A) the large number or concentration or homeless individuals in the project area relative to other similar areas of jurisdiction;

"(B) the high rates of poverty in the project area as determined by the census;

"(C) the proportionally higher numbers or concentrations of homeless individuals or adults who do not have a secondary education or its equivalent; or

"(D) the lack of available low cost or affordable housing within the project area, as measured by such indicators as high average local rents or vacancy rates.".

(3) APPLICATION.—Section 702(b) of such Act (42 U.S.C. 11421(b)) is amended—

(A) by striking out "State educational agency desiring to receive its allocation" and inserting in lieu thereof "eligible entity as defined in section 702(a)(2)"; and

(B) by striking out "and the number" and all that follows through "States to be served".

(b) POLICY.—Section 721(2) of such Act (42 U.S.C. 11431(2)) is amended—

(1) by inserting "or other laws, regulations, policies, or practices that may act as barriers to the enrollment of homeless children and youth in its schools" after "attendance laws,"; and

(2) by inserting "regulations, policies, and practices" after "such laws".

(c) GRANTS FOR STATE AND LOCAL ACTIVITIES.—Section 722 of such Act (42 U.S.C. 11432) is amended—

(1) in the section heading by inserting "AND LOCAL" after "STATE";

(2) in subsection (b), by striking out "section 1005" and inserting in lieu thereof "part A of chapter 1 of title I";

(3) in subsection (c)—

(A) by striking out "and" at the end of paragraph (2);

(B) by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon; and

(C) by adding at the end thereof the following new paragraphs:

"(4) to develop and implement training programs for teachers and administrators; and

"(5) to provide grants to local educational agencies in accordance with section 723.";

(4) in subsection (d)—

(A) by striking out paragraph (1) and inserting in lieu thereof the following new paragraph:

"(1) biennially gather information concerning the nature and extent of barriers to access to, and placement of, homeless children and youth in elementary and secondary schools, including information on the manner in which such barriers have been addressed, what barriers continue to exist, and the difficulties in identifying the special needs of such children;";

(B) by striking out "and" at the end of paragraph (2);

(C) by striking out paragraph (3) and inserting in lieu thereof the following new paragraphs:

"(3) prepare and submit to the Secretary a report concerning the information gathered pursuant to paragraph (1) not later than December 31 of each year in which such information is gathered; and

"(4) facilitate coordination between the State Education Agency, the State Social Services Agency, and other agencies providing services to homeless children and youth and their families."; and

(D) by striking out the last sentence;

(5) in subsection (e)(1)—

(A) by striking out "and" at the end of subparagraph (A);

(B) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon; and

(C) by adding at the end thereof the following new subparagraphs:

"(C) educate school personnel (including principals, attendance officers, teachers, and enrollment personnel), parents, shelter operators, and service providers concerning the rights and needs of homeless children and homeless youth in school; and

"(D) ensure that homeless children and homeless youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local school food programs and appropriate child nutrition programs.";

(6) in subsection (e)—

(A) by striking out "(6)" in paragraph (2) and inserting in lieu thereof "(10)";

(B) by striking out "homeless child or youth" in paragraph (3) and inserting in lieu thereof "child or youth who becomes homeless during the school year or during the summer prior thereto";

(C) by striking out "district" each place that such occurs in subparagraphs (A) and (B) of paragraph (3);

(D) by inserting at the end of paragraph (3) the following new sentences:

"In determining the best interests of the child or youth, for purposes of making a school assignment, consideration shall be given to a request made by a parent regarding school selection. For purposes of this paragraph, the term 'school of origin' shall mean the school that the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.";

(E) by redesignating paragraph (6) as paragraph (7);

(F) by inserting after paragraph (5), the following new paragraph:

"(6) The local educational agency of each homeless child or youth shall provide transportation to enable such homeless child or youth to attend the school selected under paragraph (3), to no lesser extent than other children and youth are provided transportation under State or local law or policy.";

(G) by striking out "The school records" in paragraph (7) (as so redesignated by subparagraph (E)) and inserting in lieu thereof "Any records normally kept by the school, which may include, but are not limited to, immunization records, birth certificates, guardianship records, academic records, evaluations for special services or programs,"; and

(H) by adding at the end thereof the following new paragraphs:

"(8) Each local educational agency serving homeless children or youth shall coordinate with local social services agencies, and other agencies or programs providing services to such children or youth and their families.

"(9) Each local educational agency shall designate a homelessness liaison to ensure that—

"(A) homeless children and youth enroll and succeed in the schools of that agency; and

"(B) homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.

State coordinators and local educational agency liaisons shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaisons.

"(10) Each State and local educational agency shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with section 722(e)(3). In reviewing and revising such policies, consideration shall be given to issues concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school."; and

(7) in subsection (g)—

(A) by striking out "$5,000,000" in paragraph (1) and all that follows through the end thereof and inserting in lieu thereof "$50,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993";

(B) by redesignating paragraph (2) as paragraph (4); and

(C) by inserting after paragraph (1) the following new paragraphs:

"(2) The State educational agency may reserve not to exceed 5 percent of the amount received by such agency under this section in each fiscal year, or an amount equal to the amount received by such State agency for State activities under this section in fiscal year 1990, whichever is greater, to conduct activities under paragraphs (1), (2), (3), and (4) of subsection (c).

"(3)(A) In any fiscal year in which the amount appropriated under paragraph (1) does not equal or exceed $100,000,000, the State educational agency shall use funds not otherwise reserved under paragraph (2) to award grants to local educational agencies in accordance with subsection (c)(4).

"(B) In any fiscal year in which the amount appropriated under paragraph (1) equals or exceeds $100,000,000, the State educational agency shall use funds not otherwise reserved under paragraph (2) to allocate to each local educational agency an amount that bears the same ratio to amount not otherwise reserved as the aggregate amount received by such local educational agency under part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the aggregate amount received by all local educational agencies in the State for purposes of carrying out such part for such fiscal year.".

(d) GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.—Section 723 of such Act (42 U.S.C. 11433) is amended to read as follows:

"SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

"(a) GENERAL AUTHORITY.—The State educational agency may make grants to local educational agencies to carry out the activities described in subsection (c).

"(b) AWARDS.—

"(1) BASIS.—Except as provided in section 722(g)(3), from amounts appropriated for each fiscal year under section 722(g), the State educational agency may award grants under this section to local educational agencies submitting an application under subsection (d) on the basis of the need of such agencies.

"(2) DETERMINATION.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youth enrolled in preschool, elementary, and secondary schools within the area served by the agency, and shall consider the needs of such children and youth, and the ability of the agency to meet such needs. Such agency may also consider—

"(A) the extent to which the proposed use of funds would facilitate the enrollment, retention, and educational success of homeless children and youth;

"(B) the extent to which the application reflects coordination with other local and State agencies that serve homeless children and youth, as well as the State Plan required by section 722(e);

"(C) the extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth in its jurisdiction; and

"(D) other criteria as the agency determines appropriate.

"(c) USE.—

"(1) IN GENERAL.—Grants awarded under this section shall be used to provide services intended to facilitate the enrollment, attendance, and success of homeless children and youth in school. Services provided under this section are not intended to replace the regular academic program.

"(2) PROVISION OF SERVICES.—Unless otherwise specified, services under paragraph (1) may be provided through programs on school grounds, or at other nonsectarian facilities. Such services shall be provided, to the maximum extent practicable, through existing programs and mechanisms that integrate homeless individuals with housed individuals.

"(3) TYPES OF SERVICES.—Services provided under this section may include—

"(A) expedited evaluations for special needs, programs, and services, including the areas of special education, limited English proficiency, remediation, and gifted and talented students;

"(B) before- and after-school and summer programs for tutoring, homework assistance, and the supervision of educational activities during nonschool hours, by a teacher or other qualified individual, in coordination with existing programs for children who are not homeless, where appropriate;

"(C) the adaptation of space and the purchase of supplies for nonschool facilities made available under paragraph (2) to provide services under subparagraph (B);

"(D) developmentally appropriate early childhood programs for pre-school age children;

"(E) counseling, social work and psychological services, including violence counseling, and referrals for such services;

"(F) referral to medical, dental, and other health services, and the provision of funds for such services where appropriate and practical, in coordination with services provided under title VI;

"(G) school supplies to be distributed at the shelter or temporary housing facilities;

"(H) parent education and training concerning the rights of, and resources available to, homeless children and youth;

"(I) the training of educators and other school personnel to develop awareness and sensitivity to the needs of homeless children and homeless youths and the rights of such children and youths under this Act;

"(J) the excess cost of transportation for students not provided under section 722(e)(6) and not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(e)(3);

"(K) where necessary, fees and other costs associated with tracking, obtaining and transferring records necessary to enroll students in school, in-

cluding records of immunizations, birth certificates, academic records, guardianship records, and evaluations for special services or programs;

"(L) coordination between schools and agencies providing services to homeless children; and

"(M) such other extraordinary or emergency assistance determined by the Secretary as essential to enable homeless children and youth to attend school.

"(d) APPLICATION.—A local educational agency that desires to receive a grant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as such agency may reasonably require. Each such application shall include—

"(1) a description of the services and programs for which assistance is sought and the problems sought to be addressed through the provision of such services and programs;

"(2) assurances that the applicant complies with or will use requested funds to come into compliance with paragraphs (3) through (10) of section 722(e);

"(3) assurances that such funds will supplement and not supplant non-Federal funds currently used for such purposes; and

"(4) a description of policies and procedures that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and homeless youth.".

(e) NATIONAL RESPONSIBILITIES.—Section 724 of such Act (42 U.S.C. 11434) is amended—

(1) in subsection (a), to read as follows:

"(a) GENERAL ACCOUNTING OFFICE.—Not later than 2 years after the date of enactment of this subsection, the Comptroller General of the United States, in consultation with the Secretary, shall prepare and submit to the appropriate Committees of Congress a report containing the findings of a study conducted to determine the most effective method of distributing funds provided under this subtitle to State educational agencies and local educational agencies."; and

(2) in subsection (b)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(B) by inserting after the subsection heading the following new paragraph:

"(1)(A) The Secretary, in consultation with persons and organizations that are knowledgeable about the needs of homeless children and youth, shall, through the awarding of a grant, or through entering into a contract or cooperative agreement, conduct a study to determine the best means of identifying, locating, and counting homeless children and youth for the purposes of this subtitle. Such persons and organizations to be consulted shall include representatives of State coordinators, local educational agencies with substantial numbers of homeless children and youth, local government agencies with responsibility for administering homeless shelters, and advocacy groups representing the interests of homeless children and youth. The Secretary shall also consult with the Secretary of Health and Human Services and the Secretary of Housing and Urban Development, as appropriate, in carrying out this paragraph.

"(B) The study conducted under subparagraph (A) shall consider—

"(i) the appropriate definition of the terms 'homeless child' and 'homeless youth';

"(ii) the experience of the 1990 Census in identifying, locating, and counting homeless children and youth; and

"(iii) appropriate methodologies for identifying, locating, and counting such children and youth, including using schools, shelters, and other social service agencies to collect data;

to determine the number of homeless children and youth in the United States to create as accurate an account as possible of the number, location, and living circumstances of such children and youth, including the number of such children and youth that are attending school regularly, part-time, or not at all, and reasons for the nonattendence of such children and youth.

"(C)(i) Not later than 240 days after the date of enactment of this paragraph, the Secretary shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the study conducted under subparagraph (A) and the estimated costs of making the estimates required under clause (ii).

"(ii) Not later than 1 year after the completion of the study under clause (i), the Secretary, in consultation with the appropriate Committees of Congress,

and through the use of appropriate statistical methodology, shall determine accurate estimates of the number of homeless children and youth throughout the Nation and the number of such children and youth attending school.

"(D) The Secretary may reserve not more than $250,000 from amounts appropriated under section 722(g) in 1991 to carry out the study required under subparagraph (A).

"(E) There are authorized to be appropriated such sums as may be necessary in 1992 to prepare the report and estimates required under subparagraph (C). Amounts necessary to complete such report and estimates shall be included in the President's 1992 Budget Request to Congress.";

(C) in paragraph (2) (as so redesignated) by adding at the end thereof the following new sentences: "In reviewing the State plans submitted by the States educational agencies under section 722(e), the Secretary shall evaluate whether State laws, policies, and practices described in such plans adequately address the problems of homeless children and homeless youth relating to access to education and placement as described in such plans.";

(D) by inserting after paragraph (2) (as so redesignated), the following new paragraph:

"(3) The Secretary shall provide such support and technical assistance to the State educational agencies as is required by such agencies to carry out their responsibilities under this subtitle."; and

(E) by adding at the end thereof the following new paragraph:

"(6) The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students.".

SEC. 6. EVALUATION AND REPORT.

Subtitle D of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11461 et seq.) is amended by adding at the end thereof the following new sections:

"SEC. 755. EVALUATION.

"(a) PURPOSE.—It is the purpose of this section to develop as rapidly as practicable, information concerning the organization, impact and effectiveness of services provided to homeless individuals under programs administered by the Secretary of Health and Human Services under this or any other Act, and of the effectiveness of the coordination of such programs with other Federal or Federally assisted programs that provide services to homeless individuals, or to those at risk of becoming homeless.

"(b) REQUIREMENT FOR EVALUATION ACTIVITIES.—In carrying out the purpose described in subsection (a), the Secretary shall conduct evaluations that shall include—

"(1) the use of cost and utilization data collected under the Primary Health Care for the Homeless Program under section 340 of the Public Health Service Act to conduct an evaluation, in consultation with organizations receiving grants under this title and with the national representatives of such organizations, of the impact of health, case management and referral services provided by a representative sample of grantees concerning client outcome;

"(2) under part C of title V, an evaluation of the need for and availability of services for individuals who are homeless or at risk of becoming homeless that have a serious mental illness or substance abuse problem, with special attention paid to the service needs of the dually diagnosed;

"(3) an evaluation to identify and document replicable, community-wide programs that provide integrated, comprehensive services that result in service delivery models which prevent homelessness or lead to the successful relocation of the homeless into permanent housing; and

"(4) an identification through the evaluation conducted under this subsection of those areas where services are lacking.

"SEC. 756. REPORT BY THE SECRETARY.

"Not later than 12 months after the date of the enactment of this section, the Secretary of Health and Human Services shall—

"(1) complete, in consultation with appropriate members of the Interagency Council on the Homeless, a study of the extent to which Federal laws, regulations, or policies are inappropriately or inadvertently hindering Federal facilities (such as cafeterias in the facilities of the Department of Defense and Department of Veterans' Affairs) from making available to programs or entities serving the homeless prepared food that is not consumed; and

"(2) prepare and submit, to the appropriate Committees of Congress, a report containing the findings made as a result of the study conducted under paragraph (1), including any recommendations with respect to administrative and legislative initiatives that would permit Federal facilities to make available to entities serving the homeless such excess prepared food.".

SEC. 7. CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS.

(a) FINDINGS.—Congress finds that—

(1) homelessness is a growing national tragedy;

(2) as many as one-third of the homeless people in the United States are members of families with children;

(3) families represent the fastest growing segment of the homeless population;

(4) homelessness too often results in the placements of children into out-of-home care, or delays the reunification of such children with their parents; and

(5) strong coordination between child welfare agencies and housing authorities can protect homeless children or children at risk of becoming homeless from abuse and neglect and help prevent the unnecessary separation of children from their families.

(b) AMENDMENT.—The Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) (as amended by Public Law 101-126) is amended by adding at the end thereof the following new title:

"TITLE III—CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS

"SEC. 301. DEMONSTRATION GRANTS FOR PREVENTION OF INAPPROPRIATE SEPARATION FROM FAMILY AND FOR PREVENTION OF CHILD ABUSE AND NEGLECT.

"(a) ESTABLISHMENT OF PROGRAM.—The Secretary may make grants to entities described in subsection (b)(1) for the purpose of assisting such entities in demonstrating, with respect to children whose families are homeless or at risk of becoming homeless, the effectiveness of activities undertaken to prevent—

"(1) the inappropriate separation of such children from their families on the basis of homelessness or other problems regarding the availability and conditions of housing for such families; and

"(2) the abuse and neglect of such children.

"(b) MINIMUM QUALIFICATIONS OF GRANTEES.—

"(1) IN GENERAL.—The entities referred to in subsection (a) are State and local agencies that provide services in geographic areas described in paragraph (2), and that have authority—

"(A) for removing children, temporarily or permanently, from the custody of the parents (or other legal guardians) of such children and placing such children in foster care or other out-of-home care; or

"(B) in the case of youths not less than 16 years of age for whom such a placement has been made, for assisting such youths in preparing to be discharged from such care into circumstances of providing for their own support.

"(2) ELIGIBLE GEOGRAPHIC AREAS.—The geographic areas referred to in paragraph (1) are geographic areas in which homelessness and other housing problems are—

"(A) threatening the well-being of children; and

"(B)(i) contributing to the placement of children in out-of-home care;

"(ii) preventing the reunification of children with their families; or

"(iii) in the case of youths not less than 16 years of age who have been placed in out-of-home care, preventing such youths from being discharged from such care into circumstances of providing their own support without adequate living arrangements.

"(3) COOPERATION WITH APPROPRIATE PUBLIC AND PRIVATE ENTITIES.—The Secretary shall not make a grant under subsection (a) unless the agency involved has entered into agreements with appropriate entities in the geographic area involved (including child welfare agencies, public housing agencies, and appropriate public and nonprofit private entities that provide services to homeless families) regarding the joint planning, coordination and delivery of services under the grant.

"(c) REQUIREMENT OF MATCHING FUNDS.—

"(1) IN GENERAL.—The Secretary shall not make a grant under subsection (a) unless the agency involved agrees that, with respect to the costs to be incurred by such agency in carrying out the purpose described in such subsection, the agency will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount equal to not less than $1 for each $4 of Federal funds provided in such grant.

"(2) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, shall not be included in determining the amount of such non-Federal contributions.

"(d) DURATION OF ASSISTANCE.—The period during which payments are made to an agency from a grant under subsection (a) shall not exceed 3 fiscal years. The Secretary shall not make payments for the second or third fiscal year of the grant unless the Secretary determines that, for the preceding fiscal year, the agency has complied with each of the agreements on which the grant is conditioned.

"SEC. 302. PROVISIONS WITH RESPECT TO CARRYING OUT PURPOSE OF DEMONSTRATION GRANTS.

"(a) JOINT TRAINING OF APPROPRIATE SERVICE PERSONNEL.—

"(1) IN GENERAL.—The Secretary shall not make a grant under section 301(a) unless the agency involved agrees to establish, with respect to the subjects described in paragraph (2), a program for joint training concerning such subjects, for appropriate personnel of child welfare agencies, public housing agencies, and appropriate public and private entities that provide services to homeless families.

"(2) SPECIFICATION OF TRAINING SUBJECTS.—The subjects referred to in paragraph (1) are—

"(A) the relationship between homelessness, and other housing problems, and the initial and prolonged placement of children in out-of-home care;

"(B) the housing-related needs of families with children who are at risk of placement in out-of-home care; and

"(C) resources (including housing-related assistance) that are available to prevent the initial or prolonged placement in out-of-home care of children whose families are homeless or who have other housing problems.

"(b) ADDITIONAL AUTHORIZED ACTIVITIES.—In addition to activities authorized in subsection (a), a grantee under section 301(a) may expend grant funds for—

"(1) the hiring of additional personnel to provide assistance in obtaining appropriate housing—

"(A) to families whose children are at imminent risk of placement in out-of-home care or who are awaiting the return of children placed in such care; and

"(B) to youth who are preparing to be discharged from such care into circumstances of providing for their own support;

"(2) training and technical assistance for the personnel of shelters and other programs for homeless families (including domestic violence shelters) to assist such programs—

"(A) in the prevention and identification of child abuse and neglect among the families the programs served; and

"(B) in obtaining appropriate resources for families who need social services, including respite care, and support;

"(3) the provision of emergency housing-related assistance necessary to prevent the placement of children in out-of-home care, to facilitate the reunification of children with their families, and to enable the discharge of youths not less than 16 years of age from such care, including assistance in meeting the costs of—

"(A) rent or utility arrears to prevent an eviction or termination of utility services;

"(B) security and utility deposits, first month's rent, and basic furnishings; and

"(C) other housing-related assistance;

"(4) the provision to families, and to youths not less than 16 years of age who are preparing to be discharged from such care, of temporary rent subsidies necessary to prevent the initial or prolonged placement of children in out-of-home care, which subsidies are provided in an amount not exceeding 70 percent of the local fair market rental value and are provided for a period not to exceed 180 days;

"(5) the development and dissemination of informational materials to advise homeless families with children and others who are seeking housing of resources and programs available to assist them; and

"(6) other activities, if authorized by the Secretary, that are necessary to address housing problems that result in the inappropriate initial or prolonged placement of children in out-of-home care.

"SEC. 303. ADDITIONAL REQUIRED AGREEMENTS.

"(a) REPORTS TO SECRETARY.—The Secretary shall not make a grant under section 301(a) unless the agency involved agrees that such agency will—

"(1) annually prepare and submit to the Secretary a report describing the specific activities carried out by the agency under the grant; and

"(2) include in the report submitted under paragraph (1), the results of an evaluation of the extent to which such activities have been effective in carrying out the purpose described in such section, including the effect of such activities regarding—

"(A) the incidence of placements of children in out-of-home care;

"(B) the reunification of children with their families; and

"(C) in the case of youths not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support with adequate living arrangements.

"(b) EVALUATION BY THE SECRETARY.—The Secretary shall conduct evaluations to determine the effectiveness of demonstration programs supported under section 301(a) in—

"(1) strengthening coordination between child welfare agencies, housing authorities, and programs for homeless families;

"(2) preventing placements of children into out-of-home care due to homelessness or other housing problems;

"(3) facilitating the reunification of children with their families; and

"(4) in the case of youths not less than 16 years old who have been placed in out-of-home care, preventing such youth from being discharged from such care into circumstances of providing their own support without adequate living arrangements.

"(c) REPORT TO CONGRESS.—Not later than March 1, 1993, the Secretary shall prepare and submit to the appropriate committees of Congress a report that contains a description of the activities carried out under this title, and an assessment of the effectiveness of the programs established under this title in preventing initial and prolonged separation of children from their families due to homelessness and other housing problems. At a minimum the report shall contain—

"(1) information describing the localities in which activities are conducted;

"(2) information describing the specific activities undertaken with grant funds and, where relevant, the numbers of families and children assisted by such activities;

"(3) information concerning the nature of the joint training conducted with grant funds; and

"(4) information concerning the impact of programs supported with grant funds on—

"(A) the incidence of the placement of children into out-of-home care;

"(B) the reunification of children with their families; and

"(C) in the case of youths not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support with adequate living arrangements.

"(d) RESTRICTION ON USE OF GRANT.—The Secretary may not make a grant under section 301(a) unless the agency involved agrees that the agency will not expend the grant to purchase or improve real property.

"SEC. 304. DESCRIPTION OF INTENDED USES OF GRANT.

"The Secretary shall not make a grant under section 301(a) unless—

"(1) the agency involved submits to the Secretary a description of the purposes for which the agency intends to expend the grant;

"(2) with respect to the entities with which the agency has made agreements pursuant to section 301(b)(1), such entities have assisted the agency in preparing the description required in paragraph (1); and

"(3) the description includes a statement of the methods that the agency will utilize in conducting the evaluations required in section 303(a)(2).

"SEC. 305. REQUIREMENT OF SUBMISSION OF APPLICATION.

"The Secretary shall not make a grant under section 301(a) unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 304, and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this title.

"SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—For the purpose of carrying out this title, there are authorized to be appropriated $25,000,000 for each of the fiscal years 1991 through 1993.

"(b) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated under subsection (a) shall remain available until expended.".

(c) TECHNICAL AND CONFORMING AMENDMENT.—The Child Abuse and Prevention Act (42 U.S.C. 5101 et seq.) is amended in the table of contents in section 101(b) by adding at the end thereof the following new items:

"TITLE III—CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS

"Sec. 301. Demonstration grants for prevention of inappropriate separation from family and for prevention of child abuse and neglect.
"Sec. 302. Provisions with respect to carrying out purpose of demonstration grants.
"Sec. 303. Additional required agreements.
"Sec. 304. Description of intended uses of grant.
"Sec. 305. Requirement of submission of application.
"Sec. 306. Authorization of appropriations.".

I. INTRODUCTION

On July 18, 1990, the Committee on Labor and Human Resources ordered favorably reported S. 2863 with an amendment in the nature of a substitute to the full Senate. S. 2863 was originally introduced on July 17, 1990 by Senators Kennedy, Hatch, Bingaman, Simon Pell, Durenberger, Metzenbaum, Jeffords, Mikulski, Dodd and Adams.

The legislation may be cited as the Stewart B. McKinney Homeless Health Care, Education, Training and Community Services Amendments of 1990. S. 2863 reauthorizes the Stewart B. McKinney Homeless Assistance Act programs within the jurisdiction of the Committee on Labor and Human Resources.

II. SECTION BY SECTION ANALYSIS AND COMMITTEE VIEWS

SECTION 1: TITLE

This Act may be cited as the "Stewart B. McKinney Homeless Health Care, Education, Training and Community Services Amendments of 1990."

SECTION 2: DEFINITION OF HOMELESS

Section 103(b) is amended to clarify that a homeless person is automatically eligible for service in the Job Training Partnership Act and does not need to meet income eligibility tests. While the McKinney Act originally amended JTPA to make the homeless automatically eligible for this program, the Act also included language that stated the homeless had to meet the income-based eligibility criteria of specific programs referred to by the McKinney Act. This ambiguity in the law has raised eligibility questions in some states, which the Committee intends to correct with these amendments.

SECTION 3: REAUTHORIZATION OF CERTAIN HEALTH PROGRAMS WITHIN THE PUBLIC HEALTH SERVICE ACT

Section 3(a) Primary Health Services for the Homeless

The program is amended by repealing subparagraph 340(e)(1)(B)(ii) of the Public Health Service Act (PHSA), a provision relating to non-federal matching funds made available before February 26, 1987. This provision is no longer necessary since the funds to which it refers—provided by The Robert Wood Johnson Foundation—were phased out in 1989.

Section 340(g) of the PHSA is amended to allow violence counseling in those programs which provide mental health services. Increasingly the effects of violence on homeless individuals—especially children—has been thought to cause tremendous damage. Homeless individuals, because they only sporadically have access to decent shelter, are at relatively higher risk both of observing violence and of falling victim to violence. The Committee believes that violence counseling would help to address this serious problem.

The program is reauthorized through 1993. The 1991 level of $66.2 million has been increased to $69 million to accommodate a portion of the amount forwarded funded by the appropriations Committees for fiscal year 1991, which was intended to be spent in the first quarter of fiscal year 1991. Additionally, $90 million is authorized for fiscal year 1992 and $95 million for fiscal year 1993. The additional funds are required to accommodate the need for more Health Care for the Homeless programs to provide care and treatment to the increasing number of homeless individuals and to provide additional drug and alcohol abuse treatment.

Section 3(b) Alcohol and Drug Abuse Demonstration Projects

Authorizations for this program are maintained at $17 million in 1991, and such sums through 1993.

Section 3(c) Community Mental Health Demonstrations

Authorization for 1991 are maintained at $11.5 million in 1991, and such sums through 1993.

SECTION 4. REAUTHORIZATION OF CERTAIN PROGRAMS WITHIN THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT

Section 4(a) Job Training for the Homeless

The amendments modify section 733(a)(3) so that outreach may be conducted on the street in addition to in shelters. The Committee is concerned that certain homeless individuals do not utilize shelter services and, therefore, questions whether such individuals are being assisted by the important programs under this act unless on-street outreach is conducted.

The amendments also recommend that the Secretary of Labor, where appropriate, target funds to urban and rural areas of greatest need as indicated by a large concentration of homeless individuals, high rates of poverty, or lack of available affordable housing within the project area. Last year, the Department of Labor funded only 25 projects out of a total of 293 applicants. Therefore it is appropriate that due consideration be given by the Secretary to ways

to maximize the services provided from limited funds. It is expected that the Secretary will evaluate applications with this in mind, while carefully considering the merits of each proposal. The Committee urges the Secretary to ensure that grants are awarded to diverse geographical areas of the nation.

The Committee believes that job training will continue to be a critical component of any overall strategy for providing assistance to homeless individuals so that they may become employable and once again return to a stable home and work environment.

The amendments also strengthen the provisions in current law on coordination with other training related organizations. In a recent report, "Helping the Homeless be Choosers: The Role of JTPA in Improving Job Prospects," the National Commission for Employment Policy stresses the importance of coordination of programs amd services. In a series of case studies for this report, the most successful programs were those that integrated job training programs with other training related services, provided incentives to attaining and keeping a job, and used intensive individual case management. The Committee recommends that the Secretary of Labor to give special consideration to programs that include formal reciprocal referral agreements with other programs such as substance abuse counseling, local shelters, and subsidized housing.

The termination of this program (Section 741), currently required to occur in October 1990, is repealed.

The amendments increase the authorization for this program to $15 million in 1991, $16.5 million in 1992, and $18 million in 1993. Of these amounts the following will be available for Section 738—the Veterans Reintegration Projects: $3 million in 1991, $3.5 million in 1992 and $4.5 million in 1993.

The Committee believes that the increased percentages for services to veterans are warranted by evidence that veterans, comprising a significant portion of the homeless population, face considerable obstacles in seeking employment and receiving treatment for drug and alcohol abuse. Funding under this program provides comprehensive therapeutic programs, providing assistance with housing, employment, medical and mental health needs, legal problems and a full range of social services. As before, if the full amount is not authorized for this section, the amounts available for Section 738 shall be ratably reduced.

Section 4(b) Amendments to the Emergency Community Services Homeless Grant Program

The amendments modify Section 753(b) to allow the use of 5% of funds for administrative purposes at the state level. Grant recipients continue to be allowed to utilize 10% of their total grant for administrative purposes. The Committee believes that this change is necessary to assist the states in administering the important programs under this part.

The amendments also modify Section 753(c) to allow funds under this program to be used for the purchase and renovation of buildings required to deliver services. The Committee recognizes that these types of facilities are crucial in the delivery of services and may not be available in all areas.

Because the Committee is increasingly concerned about the effects of community and domestic violence on homeless children and adults, the amendments also specify in Section 753(c) that the provision of, or referral to, violence counseling is an allowable activity under this program.

The amendments authorize $50 million in funding for this program for each of fiscal years 1991 through 1993.

SECTION 5: AMENDMENTS TO STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT RELATING TO EDUCATION

Section 5(a) Statewide Literacy Initiatives

Literacy Program grants for homeless adults are made available to state and local educational agencies and to partnerships of LEAs and SEAs with public or private nonprofit agencies, private businesses or other appropriate agencies with demonstrated effectiveness in carrying out literacy programs. Priority for awards would go to partnerships. In 1989, the Committee changed the Adult Education for the Homeless Program from a state formula grant program to a state competitive grant program. The Committee remains supportive of this change, but believes that the pool of applicants should be expanded.

Special consideration would go to applicants that will serve areas of greatest need (including rural and urban areas), to areas with proportionally higher numbers of homeless individuals, high poverty areas, or to areas with high numbers of individuals who have not received a secondary education or its equivalent. The Committee believes that given the limited funds available under this part, attention must be provided to targeting areas with the greatest need of services.

The authorization for Literacy programs is increased from $10 M to $15 M. This increase is justified based on the demand for funds, particularly since only 30 of the 50 state applications were funded.

Section 5(b) Congressional Policy

Congressional policy currently says that states should revise residency requirements in law to ensure homeless individuals access to education. The Amendment broadens the policy contained in Section 721(2) of the Act to say that states should revise any laws, regulations, or practices that may act as barriers to the enrollment of homeless children and youth in school. The Committee intends that this policy and the amendments made by this Act that are relevant to children, shall apply with respect to all children in every educational setting, including runaway and "throw away" youth.

Section 5(c) Grants for State and Local Activities

Authorized activities

The amendments to section 722 provide that training programs for teachers and administrators are developed and implemented and that funds received by states may be used for grants to local educational agencies.

Functions of State coordinators

The amendments eliminate the requirement that state coordinators collect data on the number of homeless children and youth and give this responsibility to the Education Department. This is in response to concerns by both the state coordinators and the Education Department that methods used to obtain counts by states differed among states and were unreliable and inconsistent, and that too much time was devoted to counting children rather than serving them.

Moreover, the requirement that state coordinators report to the Secretary on problems of access to services for homeless children is changed from annual to biennial and the state coordinator is required to facilitate coordination between agencies providing services to the homeless.

State plan

Amendments to the current provisions (Section 722(e)) relating to the state plan include: education of school personnel, parents, shelter operators and others about the rights of homeless children; and ensuring that those who meet eligibility criteria are able to participate in school food programs and other appropriate nutrition programs.

The Committee stresses that the amendments made by this part are intended to clarify the following: (1) that children should be able to remain in the same school in which they were enrolled, or transfer to the new school district, and (2) that "school of origin" may mean either the school in which the child or the youth was enrolled when last living in permanent housing, or the last school in which the child or youth was enrolled.

These amendments are intended to curb the unfortunate practice of children and youth transferred to several schools within a single school year, as the family moves to different temporary housing situations. For example, assume a child attended school A when last in permanent housing, and transferred to school B when the family moved to a temporary shelter. If the family moves again to another temporary housing situation near school C, the child or youth should have the option of transferring to new school C or of remaining in school B where currently enrolled, or of returning to school A, if, for example, the family contemplates obtaining permanent housing again in that location. In addition, this choice is extended to children whose families become homeless during the summer months. This is meant to allow children to remain in the school in which they were enrolled rather than transferring to the school near a shelter, when, for example, the parent is seeking permanent housing in the same neighborhood in which they were living, and contemplates returning to that area during the school year. It is hoped, that to the maximum extent feasible, the parent's request will be considered by the local educational agency in making a school assignment.

Further, the amendments to Section 722(e) clarify that an LEA is required to provide transportation for homeless children and youth to no lesser an extent than transportation is provided for non-homeless children and youth. LEAs are also required to coordinate

with other agencies providing services to homeless, and to designate a liaison to ensure that children enroll and succeed in school and that children and families receive other services for which they are eligible.

Authorization for all activities under this part (federal, state, and local) is placed at $50 M for 1991, and such sums for 1992 and 1993. States may reserve the greater of 5% of the state allocation, or the appropriation they received in 1990, to continue activities of the State coordinator.

Section 5(d) Local Educational Agency Grants

A new grant program (a new Section 723) is established in place of the current exemplary grant program to help LEAs overcome identified barriers to the enrollment and success of homeless children and youth. The Committee absolutely does not intend that funds provided under this section be used to establish a separate educational system for homeless children and youth. Rather, it is intended: that these services be supplementary to the educational programs provided such individuals in school, and not replace them; that these services enhance the opportunities for homeless children and youth to enroll in and be successful in school; that to the maximum extent feasible, unless otherwise specified, these services be provided in an environment which includes housed children and youth rather than one which includes homeless children and youth only. The Committee recognizes that some services may be most efficiently provided at the shelter or temporary housing facility, and that these are likely to include only homeless children and youth.

Funds are provided to states by Chapter 1 formula under the state grant program above. Within states, SEAs award grants to LEAs that apply on the basis of need until appropriations reach $100 M at which time LEAs receive funds by Chapter 1 formula.

Section 723(c)(3) states that the uses of funds may include: expedited evaluation for special programs; before- and afterschool and summer educational programs; adaptation of space at nonschool facilities for educational activities during nonschool hours; preschool programs; counseling, social work and psychological services, including violence counseling, and referral to such services; referral to health services; school supplies; parent education; sensitization of school personnel to needs of homeless children; transportation; records transfer; coordination with other agencies serving homeless; and other emergency assistance.

In this section, the term "violence counseling" means counseling to counteract the potential emotional or psychological damage done to a child or youth who observes or is victim of violence. The Committee is concerned that homeless children may be disproportionately exposed to violent behavior and strongly urges that the Secretary and LEA's give special attention to this troubling problem.

Also in this section, the Committee includes the terms "school supplies" and "other extraordinary or emergency assistance determined by the Secretary as essential to enable homeless children and youth to attend school". While schools do not normally distribute clothes for children to wear to school, it may be determined that because of the unique situation of homeless children, clothes

should be included under such "supplies" or "emergency assistance". It is also contemplated that where exceptional circumstances such as safety concerns related to domestic violence exist, for example, involving a parent who is not living at home, or other issues are present, funds may be used for the provision of homebound services when it is not in the child's best interest to attend school.

Section 5(c) National Responsibilities

The amendments to Section 722(g) require that funds are distributed by formula to SEAs (and to LEAs when appropriations exceed $100 million) by the Chapter 1 formula. It is recognized that Chapter 1 eligibility does not necessarily provide an accurate proxy for areas where there are homeless children and youth. However, Congress tried, in the first authorization of McKinney to obtain counts from states of where homeless children and youth are located, with the intention that such counts might be used to allocate funds. This effort has not been successful, with both the Education department and the State education agencies declaring that accurate counts cannot be obtained in this fashion. The Committee has therefore removed the responsibility for counting homeless children and youth from the SEAs and given it to the Secretary.

The Committee is still left with the dilemma, however, of how best to determine the most effective way to distribute these funds. The Committee has included a requirement (Section 724(a)) that the GAO, in consultation with the Education Department, conduct a study, within two years, of the most effective way to distribute funds to SEAs and LEAs. The results of this study will be presented to Congress within 2 years, which will give the Committee a sufficient opportunity to study and consider these recommendations before the next reauthorization of this Act.

In transferring the data collection requirements from the states to the Education Department, the Committee has imposed three new requirements on the Department of Education in this area: first, within 240 days, the Education Department shall develop a study, in consultation with SEAs, LEAs, and advocacy groups regarding the best way to count homeless children, and carry out that count and report the results to Congress within one year of completion of the study. In 1991, $250,000 is provided for this purpose and such sums in 1992. Second, the Education Department shall evaluate whether state plans adequately address the problems of homeless children regarding access to education. Third, the Education Department shall provide support and technical assistance to state education agencies.

Section 724(b)(2) [as redesignated] requires the Secretary to monitor compliance with this Act. The Committee intends that this duty be enforceable in any court of competent jurisdiction by homeless children or their representatives. But federal monitoring shall provide no defense in any action against any state under this section.

SECTION 6: EVALUATION AND REPORTS

The Committee included a new section, 755 of the Act, to provide for an evaluation of all of the programs within the jurisdiction of

the Secretary of Health and Human Services. The evaluation will be conducted as rapidly as possible and will consider the organization and effectiveness of the programs in preventing and alleviating homelessness. Further, the Committee expects that the evaluation of community-wide comprehensive service delivery models will address how Federal funding streams hinder or facilitate the development of such models, and how Federal funding should be restructured to foster the replication of successful models in other States and communities.

The Committee strongly urges the Department to complete this evaluation as rapidly as possible in order to provide further guidance as to the needs of the homeless and the available policy options to combat homelessness.

It has come to the attention of the Committee that certain federal agencies have faced considerable obstacles in their attempts to assist the homeless in various communities. For this reason, a new section, 756, is also established, requiring the Secretary to report to Congress on ways to reduce federal barriers and thus enable federal agencies and facilities to donate excess prepared foods to agencies serving the homeless.

SECTION 7: DEMONSTRATION GRANTS FOR THE PREVENTION OF INAPPROPRIATE SEPARATION OF HOMELESS FAMILIES AND FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT

The Committee is deeply concerned about the increasing incidence of children being separated from their families when the family becomes victim to eviction or tragedy and thus becomes homeless. While no comprehensive studies have been conducted on the potential effectiveness of combining child welfare and housing services, the Committee feels strongly that programs of this type must be conducted. Toward that end the Committee has authorized several demonstration projects aimed at determining the effectiveness of a coordinated strategy to prevent family homelessness and prevent the break up of at risk families.

Section 7(a).—Congress finds that as many as one-third of the nation's homeless people are members of families with children, that homelessness too often results in the separation of children from their parents, and that strong coordination between child welfare and housing agencies can help protect homeless children from abuse and neglect and prevent the unnecessary or prolonged separation of families.

Section 301(a).[1]—Entities eligible to receive grants shall be state and local agencies responsible for out-of-home placements of children and youth.

Section 301(b).—Eligible geographic areas include those in which housing problems and homelessness are threatening the well-being of children, contributing to the placement of children in out-of-home care, preventing the reunification of children with their families; or in the case of older youth, preventing them from living independently.

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[1] Section numbers hereafter refer to the new Title III of the Child Abuse Prevention and Treatment Act.

Section 301(c).—Because the Committee strongly believes that successful programs under this part must be comprehensive in nature, agencies applying for funds under this act must show that they have entered into agreements with appropriate entities regarding planning, coordination and delivery of services, including child welfare agencies, public housing agencies, and appropriate public and non-profit private agencies which provide services to homeless families. Recipients must obtain a 20 percent non-Federal match.

Section 301(d).—Grants may be for periods up to 3 fiscal years.

Section 302(a).—The Committee believes that staff training is a critical component of any comprehensive program in this area. All grant recipients must establish a program to jointly train child welfare and housing authority staff in issues including the relationships between homelessness and housing problems and the unnecessary placements of children in out-of-home care; the housing related needs of families whose children are at risk of out-of-home placement; and the resources available to prevent initial or prolonged placement in out-of-home care of children whose families are homeless or have other housing problems.

Section 302(b).—Other allowable activities include: hiring additional personnel to help families find housing when their children are at risk of placement or delayed return home, and to assist older youth leaving out-of-home care for independent living; providing training and technical assistance for personnel of shelters and other programs for homeless families to assist them in the prevention and identification of child abuse and neglect among the families who need social services; the provision of emergency housing-related assistance such as rent or utility payments, move-in costs, partial rent subsidies for up to 6 months and other housing-related assistance; the development and dissemination of information materials; and other activities authorized by the Secretary.

Section 303(a).—Grantees will annually submit a report to the Secretary describing the specific activities carried out, and will evaluate the extent to which their activities have been effective in carrying out the purpose of this section.

Section 303(b).—The Secretary will conduct an evaluation to determine the effectiveness of programs in strengthening coordination between child welfare agencies, housing authorities and programs for homeless families and preventing unnecessary or prolonged out-of-home placements due to homelessness or other housing problems. The Committee intends that this evaluation be utilized to assess the effectiveness of, and need for, programs authorized under this Title.

Section 303(c).—Not later than March 1, 1993, the Secretary shall report to Congress, describing the activities carried out under this section, and assessing the effectiveness of the program in preventing unnecessary or prolonged out-of-home placements due to homelessness or other housing problems.

Section 304.—Requires agencies to submit a description of the intended use of the grant and the methods to be utilized in evaluating such a grant.

Section 305.—$25 million are authorized for each of fiscal years 1991, 1992, and 1993.

III. Votes in Committee

S. 2600 was reported favorably by the Committee on July 18 by a unanimous roll call vote. All 16 members of the Committee voted in favor of the motion to report favorably, no member opposed the motion.

IV. Cost Estimate

U.S. Congress,
Congressional Budget Office,
Washington, DC, August 10, 1990.

Hon. Edward M. Kennedy,
Chairman, Committee on Labor and Human Resources,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 2863, the Stewart B. McKinney Homeless Health Care, Education, Training, and Community Services Amendments of 1990, as ordered reported by the Senate Committee on Labor and Human Resources on July 18, 1990.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

Robert D. Reischauer,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 2863.
2. Bill title: Stewart B. McKinney Homeless Health Care, Education, Training, and Community Services Amendments of 1990.
3. Bill status: As ordered reported by the Senate Committee on Labor and Human Resources on July 18, 1990.
4. Bill purpose: To amend the Stewart B. McKinney Homeless Assistance Act and the Public Health Service Act to reauthorize certain health, education, training, and community services programs, and for other purposes.
5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1991	1992	1993	1994	1995
Estimated Authorization Levels:					
Primary Health Services for the Homeless	3	90	95	.....	.....
Homeless Alcohol and Drug Abuse Demonstrations	0	18	18	.....	.....
Homeless Mental Health services Demonstrations	5	12	12	.....	.....
Job Training for the Homeless	15	17	18	.....	.....
Emergency Community Services for the Homeless	50	50	50	.....	.....
Literacy Training for Homeless Adults	15	16	16	.....	.....
Education for Homeless Youth	50	52	54	.....	.....
Education Report	.....	(1)	.....	.....	.....
HHS Evaluation and Report	(1)	.....	.....	.....	.....
Preventive Services for Homeless Children	25	25	25	.....	.....
Total Estimated Authorization Levels	163	279	289	.....	.....
Estimated outlays:					
Primary Health Services for the Homeless	2	50	82	42	11

[By fiscal years, in millions of dollars]

	1991	1992	1993	1994	1995
Homeless Alcohol and Substance Abuse Demonstrations	0	6	16	12	2
Homeless Mental Health Services Demonstrations	2	7	11	8	1
Job Training for the Homeless	3	13	17	14	2
Emergency Community Services for the Homeless	34	50	50	16	
Literacy Training for Homeless Adults	2	12	15	14	3
Education for Homeless Youth	6	40	51	47	11
Education Report		(1)			
HHS Evaluation & Report	(1)				
Preventive Services for Homeless Children	6	23	25	19	2
Total Estimated outlays	55	203	268	172	33

[1] Less than $500,000.

Note.—Details in this table may not add to totals because of rounding.

The costs of this bill fall within budget functions 500 and 550.

Basis of estimate: S. 2863 would reauthorize and expand certain provisions of the Stewart B. McKinney Homeless Assistance Act and the Child Abuse Prevention and Treatment Act to aid homeless individuals and families. This estimate assumes that all authorizations are fully appropriated at the beginning of each fiscal year. Outlays are estimated using spendout rates computed by CBO on the basis of recent program data.

The bill would authorize appropriations of $69 million in 1991, $90 million in 1992, and $95 million in 1993, to provide primary health services to the homeless. Because this program already has a 1991 authorization of $66.2 million in current law, however, this bill would authorize an additional $2.8 million in 1991.

The bill would authorize $17 million in 1991 and such sums as may be necessary in each of 1992 and 1993 for demonstrations to develop and expand alcohol and drug treatment services for homeless individuals. This program is already authorized at a such sums as may be necessary level for 1991. CBO estimates such sums authorization levels by adjusting the provision's current appropriation level for projected inflation. The homeless alcohol and drug abuse demonstration program has a current appropriation of $16.4 million. Without the enactment of further legislation, CBO estimates the 1991 authorization level would be $17 million. Therefore, this legislation would not authorize any additional funds for the demonstration program in 1991. CBO estimated the authorization levels for 1992 and 1993 by adjusting the authorization level of $17 million for projected inflation.

The bill also would authorize $11.5 million in 1991 and such sums as may be necessary in each of 1992 and 1993 for demonstrations to expand mental health services for homeless individuals. This program currently authorizes appropriations of such sums as may be necessary for 1991, however. Given that $6 million is appropriated for the program in 1990, CBO estimates that, without the enactment of further legislation, the 1991 authorization level for this program would be $6.3 million. Therefore, this bill would authorize an additional $5.2 million for homeless mental health services demonstrations in 1991. CBO estimated the authorization levels for 1992 and 1993 by adjusting the 1991 authorization for projected inflation.

S. 2863 would reauthorize federal funds to provide job training to the homeless. In addition, the bill would reauthorize federal funds for emergency community services for homeless individuals. The bill specifies the authorization levels for both of these programs.

The bill would provide $50 million in 1991 and such sums as may be necessary in each of 1992 and 1993 for education of homeless children and youth grants. The bill also would provide $15 million in 1991 and such sums as may be necessary in each of 1992 and 1993 for literacy training grants. CBO estimated the 1992 and 1993 authorization levels for both grant programs by adjusting the respective 1991 authorization for projected inflation. In addition, the bill would authorize such sums as may be necessary in 1992 for the Secretary of Education to prepare a report on the best method of counting the number of homeless children and the estimated cost of such procedure. The report would be part of the Department of Education's 1992 budget submission. Based on information provided by the Department of Education, CBO estimates that the report would cost less than $500,000 in 1992.

S. 2863 would require the Secretary of Health and Human Services (HHS) to evaluate the effectiveness of services provided to homeless individuals under programs that he administers. In addition, the Secretary of HHS would have to study and report the extent to which federal laws and policies are hindering federal facilities from giving food that has not been consumed to entities serving the homeless. CBO estimates that these provisions would cost less than $500,000 in 1991.

Finally, the bill would authorize the appropriation of $25 million per year in 1991–1993 to establish demonstration grants for the prevention of inappropriate separations of children from their families and for the prevention of child abuse and neglect.

6. Estimated cost to State and local government: In order to receive grants to provide primary health services to the homeless, eligible agencies would have to provide $1 of non-federal funds for each $3 of federal funds provided in the first year of the grant, and $1 for each $2 of federal funds provided thereafter. In addition, state and local agencies receiving grants for demonstration projects to prevent inappropriate separations of children from their families as well as child abuse and neglect, would have to contribute $1 for each $4 of federal funds.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Karen Graham, Deborah Kalcevic and Cory Leach and Diane Celuch.

10. Estimate approved by: C.G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis).

V. Regulatory Impact Statement

Rule XXVI paragraph 11(b) of the Standing Rules of the Committee requires the Committee to issue a statement assessing the regulatory, inflationary and paperwork impact imposed by legislation for which they issue a report. It is believed that this Committee bill will have little or no regulatory impact on individuals and businesses. The major portion of the bill consists of routine reauthor-

izations and it is not yet possible to determine the number of youth affected by the new sections ensuring education for homeless children and coordination of housing and child welfare agencies.

The Committee estimates that all provisions of the bill will have an overall positive economic impact on the individuals served by the bill. The programs provide for improved health, job training, education, counseling, and support services, which should lead to the improved employability of these individuals. The legislation is intended to improve overall the economic conditions of the nation by promoting self-sufficiency and productivity among citizens who are currently dependent on public and private assistance for their basic needs. Nevertheless, it is impossible to determine the specific economic impact of the legislation at this time.

Finally, there is no cause to believe that this new legislation would significantly affect privacy of individuals or the volume or flow of paperwork at the local, state, or federal level.

VI. Changes in Existing Law

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 100-628

STEWART B. McKINNEY HOMELESS ASSISTANCE AMENDMENTS ACT OF 1988

* * * * * * *

Sec. 612(a). For payments pursuant to section 504(f) of the Public Health Service Act, there are authorized to be appropriated $11,000,000 for fiscal year 1989, $11,500,000 for fiscal year 1990, [and such sums as may be necessary for fiscal year 1991], *$11,500,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993*, in addition to any other amounts authorized to be appropriated for such payments for each of such fiscal years.".

SUBCHAPTER VI—EDUCATION, TRAINING, AND COMMUNITY SERVICES PROGRAMS

Part A–Adult Education for the Homeless

Sec. 702. [State] Literacy initiatives.—

(a) General Authority.—*(1)* The Secretary of Education shall make grants to [State educational agencies to enable each such agency to] *entities described in paragraph (2) to* implement, either directly or through contracts and grants, a program of literacy training and basic skills remediation for adult homeless individuals within the State, which shall—

[(1)] *(A)* include a program of outreach activities; and

[(2)] *(B)* be coordinated with existing resources such as community-based organizations, VISTA recipients, adult basic edu-

cation program recipients, and nonprofit literacy-action organizations.

(2) To be eligible to receive a grant under this section, an entity shall be—

(A)(i) a State education agency or consortia thereof; or

(ii) a local educational agency or consortia thereof; or

(B) a partnership between an entity described in subparagraph (A) and—

(i) a private nonprofit organization;

(ii) a private business;

(iii) any other public agency; or

(iv) any other appropriate entity;

if the entity of the type described in clauses (i) through (iv) has demonstrated effectiveness in carrying out literacy programs.

Priority shall be given to applications submitted by entities under subparagraph (B).

(3) In awarding grants under this section, the Secretary of Education shall give special consideration to applicants that will implement projects that will serve areas of greatest need, including urban and rural areas, as demonstrated by—

(A) the large number or concentration of homeless individuals in the project area relative to other similar areas of jurisdiction;

(B) the high rates of poverty in the project area as determined by the census;

(C) the proportionally higher numbers or concentrations of homeless individuals or adults who do not have a secondary education or its equivalent; or

(D) the lack of available low cost or affordable housing within the project area, as measured by such indicators as high average local rents or vacancy rates.

(b) APPLICATION; ESTIMATES OF NUMBER OF HOMELESS.—Each [State educational agency desiring to receive its allocation] *eligible entity as defined in section 702(a)(2)* under this section shall submit to the Secretary of Education an application at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall include an estimate of the number of homeless expected to be served. [and the number of homeless adults within each of the school districts within the States to be served.]

(c) AUTHORIZATION OF APPROPRIATIONS; SPECIAL CONSIDERATION TO SUBSECTION (b) ESTIMATES.—(1) There is authorized to be appropriated $10,000,000 for each of the fiscal years 1989 and 1990, *$15,000,000 for fiscal year 1991, and such sums as may be necessary in each of the fiscal years 1992 and 1993,* for the adult literacy and basic skills remediation programs authorized by this section.

* * * * * * *

PART B—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

SEC. 721. STATEMENT OF POLICY.—It is the policy of the Congress that—

(1) each State educational agency shall assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children of a resident of a State and is consistent with the State school attendance laws; and

(2) in any State that has a residency requirement as a component of its compulsory school attendance laws *or other laws, regulations, policies, or practices that may act as barriers to the enrollment of homeless children and youth in its schools,* the State will review and undertake steps to revise such laws *regulations, policies, and practices* to assure that the children of homeless individuals and homeless youth are afforded a free and appropriate public education.

SEC. 722. GRANTS FOR STATE *AND LOCAL* ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.—(a) GENERAL AUTHORITY.—The Secretary of Education is, in accordance with the provisions of this section, authorized to make grants to States to carry out the activities described in subsections (c), (d), and (e) of this section.

(b) ALLOCATION.—From the amounts appropriated for each fiscal year pursuant to subsection (g) of this section, the Secretary shall allot to each State an amount which bears the same ratio to the amount appropriated in each such year as the amount allocated under [section 1005 of Title 20] *part A of chapter 1 of title I* to the local educational agencies in the State in that year bears to the total amount allocated to such agencies in all States, except that no State shall receive less than $50,000 in any fiscal year and 0.1 percent of the amount appropriated for each fiscal year shall be allocated by the Secretary among the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(c) AUTHORIZED ACTIVITIES.—Grants under this section shall be used—

(1) to carry out the policies set forth in section 721 of this title in the State;

(2) to establish or designate an Office of Coordinator of Education of Homeless Children and Youth in accordance with subsection (d) of this section; [and]

(3) to prepare and carry out the State plan described in subsection (e) of this section[.]*;*

(4) to develop and implement training programs for teachers and administrators; and

(5) to provide grants to local educational agencies in accordance with section 723.

(d) FUNCTIONS OF THE OFFICE OF COORDINATOR.—The Coordinator of Education of Homeless Children and Youth established in each State shall—

[(1) annually gather data on the number and location of homeless children and youth in the State, and such data gathering shall include the nature and extent of problems of access to, and placement of, homeless children and homeless youth in elementary and secondary schools, and the difficulties in identifying the special needs of such children;]

(1) biennially gather information concerning the nature and extent of barriers to access to, and placement of, homeless children and youth in elementary and secondary schools, including information on the manner in which such barriers have been addressed, what barriers continue to exist, and the difficulties in identifying the special needs of such children:

(2) develop and carry out the State plan described in subsection (e) of this section; [and]

[(3) prepare and submit to the Secretary not later than December 31 of each year a report on the data gathered pursuant to paragraph (1).]

(3) prepare and submit to the Secretary a report concerning the information gathered pursuant to paragraph (1) not later than December 31 of each year in which such information is gathered; and

(4) facilitate coordination between the State Education Agency, the State Social Services Agency, and other agencies providing services to homeless children and youth and their families.

[To the extent that reliable current data is available in the State, each coordinator described in this subsection may use such data to fulfill the requirements of paragraph (1).]

(e) STATE PLAN.—

* * * * * * *

(A) authorize the State educational agency, the local educational agency, the parent or guardian of the homeless child, the homeless youth, or the applicable social worker to make the determinations required under this section; [and]

(B) provide procedures for the resolution of disputes regarding the educational placement of homeless children and youth[.];

(C) educate school personnel (including principals, attendance officers, teachers, and enrollment personnel), parents, shelter operators, and service providers concerning the rights and needs of homeless children and homeless youth in school; and

(D) ensure that homeless children and homeless youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local school food programs and appropriate child nutrition programs.

(2) Each plan adopted under this subsection shall assure, to the extent practicable under requirements relating to education established by State law, that local educational agencies within the State will comply with the requirements of paragraphs (3) through [(6).] *(10).*

(3) The local educational agency of each [homeless child or youth] *child or youth who becomes homeless during the school year or during the summer prior thereto;* shall either—

(A) continue the child's or youth's education in the school [district] of origin for the remainder of the school year; or

(B) enroll the child or youth in the school [district] where the child or youth is actually living;

whichever is in the child's best interest or the youth's best interest. *In determining the best interests of the child or youth, for purposes*

of making a school assignment, consideration shall be given to a request made by a parent regarding school selection. For purposes of this paragraph, the term "school of origin" shall mean the school that the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

* * * * * * *

(5) * * *

* * * * * * *

(6) The local educational agency of each homeless child or youth shall provide transportation to enable such homeless child or youth to attend the school selected under paragraph (3), to no lesser extent than other children and youth are provided transportation under State or local law or policy.

[(6)**]** *(7)* **[**The school records**]** *Any records normally kept by the school, which may include, but are not limited to, immunization records, birth certificates, guardianship records, academic records, evaluations for special services or programs,* of each homeless child or youth shall be maintained.

(8) Each local educational agency serving homeless children or youth shall coordinate with local social services agencies, and other agencies or programs providing services to such children or youth and their families.

(9) Each local educational agency shall designate a homelessness liaison to ensure that—

(A) homeless children and youth enroll and succeed in the schools of that agency; and

(B) homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.

State coordinators and local educational agency liaisons shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaisons.

(10) Each State and local educational agency shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with section 722(e)(3). In reviewing and revising such policies, consideration shall be given to issues concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

* * * * * * *

(g) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated to carry out this section **[**$5,000,000 for each of the fiscal years 1989 and 1990.**]** *$50,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993.*

(2) The State educational agency may reserve not to exceed 5 percent of the amount received by such agency under this section in each fiscal year, or an amount equal to the amount received by such State agency for State activities under this section in fiscal year

1990, whichever is greater, to conduct activities under paragraphs (1), (2), (3), and (4) of subsection (c).

(3)(A) In any fiscal year in which the amount appropriated under paragraph (1) does not equal or exceed $100,000,000, the State educational agency shall use funds not otherwise reserved under paragraph (2) to award grants to local educational agencies in accordance with subsection (c)(4).

(B) In any fiscal year in which the amount appropriated under paragraph (1) equals or exceeds $100,000,000, the State educational agency shall use funds not otherwise reserved under paragraph (2) to allocate to each local educational agency an amount that bear the same ratio to amount not otherwise reserved as the aggregate amount received by such local educational agency under part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the aggregate amount received by all local educational agencies in the State for purposes of carrying out such part for such fiscal year.

[(2)] *(4)* Sums appropriated in each fiscal year shall remain available for the succeeding fiscal year.

SEC. 723. EXEMPLARY GRANTS AND DISSEMINATION OF INFORMATION ACTIVITIES AUTHORIZED.—[(a) GENERAL AUTHORITY.—(1) The Secretary shall, from funds appropriated pursuant to subsection (f) of this section, make grants for exemplary programs that successfully address the needs of homeless students in elementary and secondary schools of the applicant.

[(2) The Secretary shall, in accordance with subsection (e) of this section, conduct dissemination activities of exemplary programs designed to meet the educational needs of homeless elementary and secondary school students.

[(b) APPLICANTS.—The Secretary shall make grants to State and local educational agencies for the purpose described in paragraph (1) of subsection (a) of this section.

[(c) ELIGIBILITY FOR GRANTS.—No applicant may receive an exemplary grant under this section unless the applicant is located in a State which has submitted a State plan in accordance with the provisions of section 11432 of this title.

[(d) APPLICATION.—Each applicant which desires to receive a demonstration grant under this section shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each such application shall include—

[(1) a description of the exemplary program for which assistance is sought;

[(2) assurances that the applicant will transmit information with respect to the conduct of the program for which assistance is sought; and

[(3) such additional assurances that the Secretary determines are necessary.

[(e) DISSEMINATION OF INFORMATION ACTIVITIES.—The Secretary shall, from funds appropriated pursuant to subsection (f) of this section, conduct, directly or indirectly by way of grant, contract, or other arrangement, dissemination activities designed to inform State and local educational agencies of exemplary programs which successfully address the special needs of homeless students.

[(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,500,000 for each of the fiscal years 1989 and 1990.]

SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.—(A) GENERAL AUTHORITY.—The State educational agency may make grants to local educational agencies to carry out the activities described in subsection (c).

(b) AWARDS.—

(1) BASIS.—Except as provided in section 722(g)(3), from amounts appropriated for each fiscal year under section 722(g), the State educational agency may award grants under this section to local educational agencies submitting an application under subsection (d) on the basis of the need of such agencies.

(2) DETERMINATION.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youth enrolled in preschool, elementary, and secondary schools within the area served by the agency, and shall consider the needs of such children and youth and the ability of the agency to meet such needs. Such agency may also consider—

(A) the extent to which the proposed use of funds would facilitate the enrollment, retention, and educational success of homeless children and youth;

(B) the extent to which the application reflects coordination with other local and state agencies that serve homeless children and youth, as well as the State Plan required by section 722(e);

(C) the extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth in its jurisdiction; and

(D) other criteria as the agency determines appropriate.

(c) USE.—

(1) IN GENERAL.—Grants awarded under this section shall be used to provide services intended to facilitate the enrollment, attendance, and success of homeless children and youth in school. Services provided under this section are not intended to replace the regular academic program.

(2) PROVISION OF SERVICES.—Unless otherwise specified, services under paragraph (1) may be provided through programs on school grounds, or at other nonsectarian facilities. Such services shall be provided, to the maximum extent practicable, through existing programs and mechanisms that integrate homeless individuals with housed individuals.

(3) TYPES OF SERVICES.—Services provided under this section may include—

(A) expedited evaluations for special needs, programs, and services, including the areas of special education, limited English proficiency, remediation, and gifted and talented students;

(B) before- and after-school and summer programs for tutoring, homework assistance, and the supervision of educational activities during nonschool hours, by a teacher or other qualified individual, in coordination with existing

programs for children who are not homeless, where appropriate;

(C) the adaptation of space and the purchase of supplies for nonschool facilities made available under paragraph (2) to provide services under subparagraph (B);

(D) developmentally appropriate early childhood programs for pre-school age children;

(E) counseling, social work and psychological services, including violence counseling, and referrals for such services;

(F) referral to medical, dental, and other health services, and the provision of funds for such services where appropriate and practical, in coordination with services provided under title VI;

(G) school supplies to be distributed at the shelter or temporary housing facilities;

(H) parent education and training concerning the rights of, and resources available to, homeless children and youth;

(I) the training of educators and other school personnel to develop awareness and sensitivity to the needs of homeless children and homeless youths and the rights of such children and youths under this Act;

(J) the excess cost of transportation for students not provided under section 722(e)(6) and not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(e)(3);

(K) where necessary, fees and other costs associated with tracking, obtaining and transferring records necessary to enroll students in school, including records of immunizations, birth certificates, academic records, guardianship records, and evaluations for special services or programs;

(L) coordination between schools and agencies providing services to homeless children; and

(M) such other extraordinary or emergency assistance determined by the Secretary as essential to enable homeless children and youth to attend school.

(d) APPLICATION.—A local educational agency that desires to receive a grant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as such agency may reasonably require. Each such application shall include—

(1) a description of the services and programs for which assistance is sought and the problems sought to be addressed through the provision of such services and programs;

(2) assurances that the applicant complies with or will use requested funds to come into compliance with paragraphs (3) through (10) of section 722(e);

(3) assurances that such funds will supplement and not supplant non-Federal funds currently used for such purposes; and

(4) a description of policies and procedures that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and homeless youth.

SEC. 724.—NATIONAL RESPONSIBILITIES.—

[(a) GENERAL ACCOUNTING OFFICE.—The Comptroller General of the United States shall prepare and submit to the Congress not later than June 30, 1988, a report on the number of homeless children and youth in all States.]

(a) GENERAL ACCOUNTING OFFICE.—Not later than 2 years after the date of enactment of this subsection, the Comptroller General of the United States, in consultation with the Secretary, shall prepare and submit to the appropriate Committees of Congress a report containing the findings of a study conducted to determine the most effective method of distributing funds provided under this subtitle to State educational agencies and local educational agencies.

(b) SECRETARIAL RESPONSIBILITIES.—(1)(A) The Secretary, in consultation with persons and organizations that are knowledgeable about the needs of homeless children and youth, shall, through the awarding of a grant, or through entering into a contract or cooperative agreement, conduct a study to determine the best means of identifying, locating, and counting homeless children and youth for the purposes of this subtitle. Such persons and organizations to be consulted shall include representatives of State coordinators, local educational agencies with substantial numbers of homeless children and youth, local government agencies with responsibility for administering homeless shelters, and advocacy groups representing the interests of homeless children and youth. The Secretary shall also consult with the Secretary of Health and Human Services and the Secretary of Housing and Urban Development, as appropriate, in carrying out this paragraph.

(B) The study conducted under subparagraph (A) shall consider—

(i) the appropriate definition of the terms 'homeless child' and 'homeless youth';

(ii) the experience of the 1990 Census in identifying, locating, and counting homeless children and youth; and

(iii) appropriate methodologies for identifying, locating, and counting such children and youth, including using schools, shelters, and other social services agencies to collect data;

to determine the number of homeless children and youth in the United States to create as accurate an account as possible of the number, location, and living circumstances of such children and youth, including the number of such children and youth that are attending school regularly, part-time, or not at all, and reasons for the nonattendance of such children and youth.

(C)(i) Not later than 240 days after the date of enactment of this paragraph, the Secretary shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the study conducted under subparagraph (A) and the estimated costs of making the estimates required under clause (ii).

(ii) Not later than 1 year after the completion of the study under clause (i), the Secretary, in consultation with the appropriate Committees of Congress, and through the use of appropriate statistical methodology, shall determine accurate estimates of the number of homeless children and youth throughout the Nation and the number of such children and youth attending school.

(D) The Secretary may reserve not more than $250,000 from amounts appropriated under section 722(g) in 1991 to carry out the study required under subparagraph (A).

(E) There are authorized to be appropriated such sums as may be necessary in 1992 to prepare the report and estimates required under subparagraph (C). Amounts necessary to complete such reports and estimates shall be included in the President's 1992 Budget Request to Congress.

[(1)] *(2)* The Secretary shall monitor and review compliance with the provisions of this part in accordance with the provisions of the General Education Provisions Act [20 U.S.C.A. § 1221 et seq.]. *In reviewing the State plans submitted by the States educational agencies under section 722(e), the Secretary shall evaluate whether State laws, policies, and practices described in such plans adequately address the problems of homeless children and homeless youth relating to access to education and placement as described in such plans.*

(3) The Secretary shall provide such support and technical assistance to the State educational agencies as is required by such agencies to carry out their responsibilities under this subtitle.

[(2)] *(4)* The Secretary shall prepare and submit a report to the Congress on the programs and activities authorized by this part at the end of each fiscal year.

[(3)] *(5)* The Secretary shall compile and submit a report to the Congress containing the information received from the States pursuant to section 11432(d)(3) of this title within 45 days of its receipt.

(6) The Secretary shall conduct evlauation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students.

* * * * * * *

SEC. 755. EVALUATION.—(a) PURPOSE.—It is the purpose of this section to develop as rapidly as practicable, information concerning the organization, impact and effectiveness of services provided to homeless individuals under programs administered by the Secretary of Health and Human Services under this or any other Act, and of the effectiveness of the coordination of such programs with other Federal or Federally assisted programs that provide services to homeless individuals, or to those at risk of becoming homeless.

(b) REQUIREMENT FOR EVALUATION ACTIVITIES.—In carrying out the purpose described in subsection (a), the Secretary shall conduct evaluation that shall include—

(1) the use of cost and utlization data collected under the Primary Health Care of the Homeless Program under section 340 of the Public Health Service Act to conduct an evaluation, in consultation with organizations receiving grants under this title and with the national representatives of such organization, of the impact of health, case management and referral services provided by a representative sample of grantees concerning client outcome;

(2) under part C of title V, an evaluation of the need for and availability of services for individuals who are homeless or at risk of becoming homeless that have a serious mental illness or substance abuse problem, with special attention paid to the service needs of the dually diagnosed;

(3) an evaluation to identify and document replicable, community-wide programs that provide integrated, comprehensive

services that result in service delivery models which prevent homelessness or lead to the successful relocation of the homeless into permanent housing; and

(4) an identification through the evaluation conducted under this subsection of those areas where services are lacking.

SEC. 756. REPORT BY THE SECRETARY.—Not later than 12 months after the date of the enactment of this section, the Secretary of Health and Human Services shall—

(1) complete, in consultation with appropriate members of the Interagency Council on the Homeless, a study of the extent to which Federal laws, regulations, or policies are inappropriately or inadvertently hindering Federal facilities (such as cafeterias of the facilities of the Department of Defense and Department of Veterans' Affairs) from making available to programs or entities serving the homeless prepared food that is not consumed; and

(2) prepare and submit, to the appropriate Committees of Congress, a report containing the findings made as a result of the study conducted under paragraph (1), including any recommendations with respect to administrative and legislative initiatives that would permit Federal facilities to make available to entities serving the homeless such excess prepared food.

* * * * * * *

TITLE 42, UNITED STATES CODE

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STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT

* * * * * * *

§ 11302. General definition of homeless individual.

(a) IN GENERAL.— * * *

* * * * * * *

[(b) INCOME ELIGIBILITY.—A homeless individual shall be eligible for assistance under any program provided by this chapter, or by the amendments made by this Act, only if the individual complies with the income eligibility requirements otherwise applicable to such program.]

(b) INCOME ELIGIBILITY.—

(1) IN GENERAL.—A homeless individual shall be eligible for assistance under any program provided by this Act, only if the individual complies with the income eligibility requirements otherwise applicable to such program.

(2) EXCEPTION.—Notwithstanding paragraph (1), a homeless individual shall be eligible for assistance under the Job Training Partnership Act.

* * * * * * *

§ 11443. Application.

(a) IN GENERAL.—Each applicant which desires to receive a demonstration grant under this part shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each such application shall include—

(1) a description of the activities for which assistance is sought;

(2) plans for the coordination and outreach activities, particularly with case managers and care providers, designed to achieve referral of homeless individuals to the demonstration projects authorized by this part *or other related programs providing services necessary to address the multiple needs of homeless individuals*;

(3) plans to offer *on the street or* in-shelter outreach and assessment activities and where practicable, pre-employment services, so as to increase the participation of homeless individuals in the demonstration project and to contract for, or provide, training services and activities;

* * * * * * *

(b) SPECIAL CONSIDERATION.—

(1) IN GENERAL.—In awarding grants under this subtitle, the Secretary of Labor may give special consideration to applicants that will implement projects that will serve areas of greatest need, including urban and rural areas, as demonstrated by—

(A) the large number or concentration or homeless individuals in the project area relative to other similar areas of jurisdiction;

(B) the high rates of poverty in the project area as determined by the census; or

(C) the lack of available low cost or affordable housing within the project area, as measured by such indicators as high average local rents or vacancy rates.

(2) HOLISTIC SERVICE APPROACH.—In awarding grants under this subtitle, the Secretary of Labor may give special consideration to applicants that will implement programs that include formal reciprocal referral agreements with other programs such as substance abuse counseling, local shelters, and subsidized housing that provide a holistic service approach on an individual case management basis.

* * * * * * *

§ 11449. Authorization of appropriations; availability of funds

(a) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated to carry out this part $13,000,000 for each of the fiscal years 1989 and 1990, *$15,000,000 for fiscal year 1991, of which $3,000,000 shall be used to carry out section 738, $16,500,000 for fiscal year 1992, of which $3,500,000 shall be used to carry out section 738, and $18,000,000 for fiscal year 1993, of which $4,500,000 shall be used to carry out section 738*, of which amount $2,200,000

for each fiscal year shall be available only to carry out section 11448 of this title.

* * * * * * *

[11450. Termination

[The provisions of this part other than section 740 shall terminate on October 1, 1990.]

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§ 11463. Program requirements

(a) APPLICATION. * * *

* * * * * * *

(b) ASSURANCES.—In order to receive a grant under this part, a State shall ensure that—

(1)(A) it will award [all] *not less than 95 percent* of the amounts it receives, by not later than 60 days after such receipt, to—

* * * * * * *

(B) not less than [90 percent] *85 percent* of the amounts received shall be awarded to such agencies and organizations that, as of January 1, 1987, are providing services to meet the critically urgent needs of homeless individuals;

* * * * * * *

(3) [no amount] *not more than 5 percent of the amounts* received under this part will be used to defray State administrative costs; and

* * * * * * *

(c) ELIGIBLE USE OF FUNDS.—Amounts awarded under this part may be used only for the following purposes:

(1)*(A)* Expansion of comprehensive services to homeless individuals to provide follow-up and long-term services to enable homeless individuals to make the transition out of poverty.

(B) Renovation or purchase of buildings to be used to provide such services

* * * * * * *

(5) Provision of, or referral to, violence counseling for homeless children and individuals, and the provision of violence counseling training to individuals who work with homeless children and individuals.

§ 11464. Authorization of appropriations

There is authorized to be appropriated to carry out this part $42,000,000 for each of the fiscal year 1989 and 1990, *and $50,000,000 for each of the fiscal years 1991 through 1993.*

PUBLIC HEALTH SERVICE ACT

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SUBPART V—HEALTH SERVICES FOR THE HOMELESS

GRANT PROGRAM FOR CERTAIN HEALTH SERVICES FOR THE HOMELESS

SEC. 340. (a) * * *

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(e) REQUIREMENT OF PROVISION OF MATCHING FUNDS.—(1)(A) * * *

* * * * * * *

(B)[(i)] Non-Federal contributions required in subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

[(ii) Such determination may not include any cash or in-kind contributions that, prior to February 26, 1987, were made available by any public or private entity for the purpose of assisting homeless individuals (including assistance other than the provision of health services).]

* * * * * * *

(g) OPTIONAL PROVISION OF CERTAIN SERVICES.—A grantee under subsection (a) may expend amounts received pursuant to such subsection for the purpose of providing to homeless individuals mental health services, dental services (including dentures), services with respect to vision, and podiatry services, *including violence counseling services where appropriate.*

* * * * * * *

(q) FUNDING.—(1) There are authorized to be appropriated to carry out this section $61,200,000 for fiscal year 1989, $63,600,000 for fiscal year 1990, [and $66,200,000 for fiscal year 1991] *$69,000,000 for fiscal year 1991, $90,000,000 for fiscal year 1992, and $95,000,000 for fiscal year 1993.*

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AUTHORIZATIONS OF APPROPRIATIONS

SEC. 513. (a) * * *

* * * * * * *

(b) There are authorized to be appropriated to carry out section 512(c) $14,000,000 for fiscal year 1989, $17,000,000 for fiscal year 1990, [and such sums as may be necessary for fiscal year 1991], *$17,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993.*

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PUBLIC LAW 101-126.—CHILD ABUSE PREVENTION CHALLENGE GRANTS REAUTHORIZATION ACT OF 1989

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TITLE II—GRANTS WITH RESPECT TO ENCOURAGING STATES TO MAINTAIN CERTAIN FUNDING MECHANISMS

* * * * * * *

TITLE III—CERTAIN PREVENTIVE SERVICES REGARDING CHILDREN OF HOMELESS FAMILIES OR FAMILIES AT RISK OF HOMELESSNESS

SEC. 301. DEMONSTRATION GRANTS FOR PREVENTION OF INAPPROPRIATE SEPARATION FROM FAMILY AND FOR PREVENTION OF CHILD ABUSE AND NEGLECT.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary may make grants to entities described in subsection (b)(1) for the purpose of assisting such entities in demonstrating, with respect to children whose families are homeless or at risk of becoming homeless, the effectiveness of activities undertaken to prevent—

(1) the inappropriate separation of such children from their families on the basis of homelessness or other problems regarding the availability and conditions of housing for such families; and

(2) the abuse and neglect of such children.

(b) MINIMUM QUALIFICATIONS OF GRANTEES.—

(1) IN GENERAL.—The entities referred to in subsection (a) are State and local agencies that provide services in geographic areas described in paragraph (2), and that have authority—

(A) for removing children, temporarily or permanently, from the custody of the parents (or other legal guardians) of such children and placing such children in foster care or other out-of-home care; or

(B) in the case of youths not less than 16 years of age for whom such a placement has been made, for assisting such youths in preparing to be discharged from such care into circumstances of providing for their own support.

(2) ELIGIBLE GEOGRAPHIC AREAS.—The geographic areas referred to in paragraph (1) are geographic areas in which homelessness and other housing problems are—

(A) threatening the well-being of children;

(B) contributing to the placement of children in out-of-home care;

(C) preventing the reunification of children with their families; or

(D) in the case of youths not less than 16 years of age who have been placed in out-of-home care, preventing such youths from being discharged from such care into circumstances of providing their own support.

(3) COOPERATION WITH APPROPRIATE PUBLIC AND PRIVATE ENTITIES.—The Secretary shall not make a grant under subsection (a) unless the agency involved has entered into agreements with appropriate entities in the geographic area involved (including child welfare agencies, public housing agencies, and appropriate public and nonprofit private entities that provide services to

homeless families) regarding the joint planning, coordination and delivery of services under the grant.

(c) REQUIREMENT OF MATCHING FUNDS.—

(1) IN GENERAL.—The Secretary shall not make a grant under subsection (a) unless the agency involved agrees that, with respect to the costs to be incurred by such agency in carrying out the purpose described in such subsection, the agency will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount equal to not less than $1 for each $4 of Federal funds provided in such grant.

(2) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, shall not be included in determining the amount of such non-Federal contributions.

(d) DURATION OF ASSISTANCE.—The period during which payments are made to an agency from a grant under subsection (a) shall not exceed 3 fiscal years. The Secretary shall not make payments for the second or third fiscal year of the grant unless the Secretary determines that, for the preceding fiscal year, the agency has complied with each of the agreements on which the grant is conditioned.

SEC. 302. PROVISIONS WITH RESPECT TO CARRYING OUT PURPOSE OF DEMONSTRATION GRANTS.

(a) JOINT TRAINING OF APPROPRIATE SERVICE PERSONNEL.—

(1) IN GENERAL.—The Secretary shall not make a grant under section 301(a) unless the agency involved agrees to establish, with respect to the subjects described in paragraph (2), a program for joint training concerning such subjects, appropriate personnel of child welfare agencies, public housing agencies, and appropriate public and private entities that provide services to homeless families.

(2) SPECIFICATION OF TRAINING SUBJECTS.—The subjects referred to in paragraph (1) are—

(A) the relationship between homelessness, and other housing problems, and the initial and prolonged placement of children in out-of-home care;

(B) the housing-related need of families with children who are at risk of placement in out-of-home care; and

(C) resources (including housing-related assistance) that are available to prevent the initial or prolonged placement in out-of-home care of children whose families are homeless or who have other housing problems.

(b) ADDITIONAL AUTHORIZED ACTIVITIES.—In addition to activities authorized in subsection (a), a grantee under section 301(a) may expend grant funds for—

(1) the hiring of additional personnel to provide assistance in obtaining appropriate housing—

(A) to families whose children are in imminent risk of placement in out-of-home care or who are awaiting the return of children placed in such care; and

(B) to youth who are preparing to be discharged from such care into circumstances of providing for their own support;

(2) training and technical assistance for the personnel of shelters and other programs for homeless families (including domestic violence shelters) to assist such programs—

(A) in the prevention and identification of child abuse and neglect among the families the programs served; and

(B) in obtaining appropriate resources for families who need social services, including respite care, and support;

(3) the provision of emergency housing-related assistance necessary to prevent the placement of children in out-of-home care, to facilitate the reunification of children with their families, and to enable the discharge of youths not less than 16 years of age from such care, including assistance in meeting the costs of—

(A) rent or utility arrears to prevent an eviction or termination of utility services;

(B) security and utility deposits, first month's rent, and basic furnishings; and

(C) other housing-related assistance;

(4) the provision to families, and to youths not less than 16 years of age who are preparing to be discharged from such care, of temporary rent subsidies necessary to prevent the initial or prolonged placement of children in out-of-home care, which subsidies are provided in an amount not exceeding 70 percent of the local fair market rental value and are provided for a period not to exceed 180 days;

(5) the development and dissemination of informational materials to advise homeless families with children and others who are seeking housing of resources and programs available to assist them; and

(6) other activities, if authorized by the Secretary, that are necessary to address housing problems that result in the inappropriate initial or prolonged placement of children in out-of-home care.

SEC. 303. ADDITIONAL REQUIRED AGREEMENTS.

(a) REPORTS TO SECRETARY.—The Secretary shall not make a grant under section 301(a) unless the agency involved agrees that such agency will—

(1) annually prepare and submit to the Secretary a report describing the specific activities carried out by the agency under the grant; and

(2) include in the report submitted under paragraph (1), the results of an evaluation of the extent to which such activities have been effective in carrying out the purpose described in such section, including the effect of such activities regarding—

(A) the incidence of placements of children in out-of-home care;

(B) the reunification of children with their families; and

(C) in the case of youths not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support.

(b) EVALUATION BY THE SECRETARY.—The Secretary shall conduct evaluations to determine the effectiveness of demonstration programs supported under section 301(a) in—

(1) strengthening coordination between child welfare agencies, housing authorities, and programs for homeless families;

(2) preventing placements of children into out-of-home care due to homelessness or other housing problems;

(3) facilitating the reunification of children with their families; and

(4) in the case of youths not less than 16 years old who have been placed in out-of-home care, preventing such youth from being discharged from such care into circumstances of providing their own support.

(c) REPORT TO CONGRESS.—Not later than March 1, 1993, the Secretary shall prepare and submit to the appropriate committees of Congress a report that contains a description of the activities carried out under this title, and an assessment of the effectiveness of the programs established under this title in preventing initial and prolonged separation of children from their families due to homelessness and other housing problems. At a minimum the report shall contain—

(1) information describing the localities in which activities are conducted;

(2) information describing the specific activities undertaken with grant funds and, where relevant, the numbers of families and children assisted by such activities;

(3) information concerning the nature of the joint training conducted with grant funds; and

(4) information concerning the impact of programs supported with grant funds on—

(A) the incidence of the placement of children into out-of-home care;

(B) the reunification of children with their families; and

(C) in the case of youths not less than 16 years of age who have been placed in out-of-home care, the discharge of such youths from such care into circumstances of providing for their own support.

(d) RESTRICTION ON USE OF GRANT.—The Secretary may not make a grant under section 301(a) unless the agency involved agrees that the agency will not expend the grant to purchase or improve real property.

SEC. 304. DESCRIPTION OF INTENDED USES OF GRANT.

The Secretary shall not make a grant under section 301(a) unless—

(1) the agency involved submits to the Secretary a description of the purposes for which the agency intends to expend the grant;

(2) with respect to the entities with which the agency has made agreements pursuant to section 301(b)(1), such entities

have assisted the agency in preparing the description required in paragraph (1); and

(3) the description includes a statement of the methods that the agency will utilize in conducting the evaluations required in section 303(a)(2).

SEC. 305. REQUIREMENT OF SUBMISSION OF APPLICATION.

The Secretary shall not make a grant under section 301(a) unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 304, and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this title.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—For the purpose of carrying out this title, there are authorized to be appropriated $25,000,000 for each of the fiscal years 1991 through 1993.

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